

# Notice of Allowability

Application No.

10/786,197

Examiner

Michael P. Nghiem

Applicant(s)

MORTON ET AL.

Art Unit

2863

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on 06 July 2007.
2. ☒ The allowed claim(s) is/are 2,4,5,13,15,52,95,96 and 98.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

***Examiner's Amendment***

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given by Mr. Thomas Kulaga during a telephone interview on September 4, 2007.

The application has been amended as follows:

Replace Claim 52 with the following:

-- Claim 52 (Currently Amended): An apparatus for automating cross calibrations of plant instruments, said apparatus comprising:

a processor in communication with a data storage system, said data storage system being a part of a plant computer system, said processor programmed to execute a process including:

retrieving a data set from said data storage system, said data set including a plurality of measured process values from a plurality of instruments,

after said step of retrieving said data set, sorting said data set,

determining at least one average value from said data set,

determining a set of deviating data from said data set, and

determining new coefficients for any one of said plurality of instruments

that produce at least one data point in said set of deviating data, said new coefficients stored for reporting of said new coefficients. --

Replace Claim 95 with the following:

-- Claim 95 (Currently Amended): Computer readable media tangibly embodying a program of instructions executable by a computer to perform a method of automating cross calibrations of plant instruments, said method comprising:

(a) retrieving a data set from a data storage unit, said data storage unit being a part of a plant monitoring system, said data set including a plurality of measured process values from a plurality of resistance temperature device (RTD) instruments;

(b) selecting for analysis a set of data from said data set;

(c) after said step (b) selecting for analysis, removing a set of deviating data from said set of data to produce a set of remaining data, wherein said step of removing said set of deviating data includes calculating an average narrow range standard deviation value, calculating a fluctuation standard deviation value of average narrow range fluctuations, rejecting a timeslice for said fluctuation standard deviation outside a specified range, and matching thermocouple times to RTD times;

(d) analyzing said set of remaining data; and

(e) recalibrating any one of said plurality of instruments that produce at least one data point in a set of deviating data produced from said step (d) of analyzing. --

***Reasons For Allowance***


Please see Applicants' remarks and previous Office action for the reasons for allowance.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P Nghiem whose telephone number is (571) 272-2277. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
~~MICHAEL NGHIEM~~  
~~PRIMARY EXAMINER~~ MICHAEL NGHIEM  
PRIMARY EXAMINER  
Michael Nghiem

September 4, 2007